

## EVERYTHING GOES

Court of Impeachment in the Case of Sulzer

Votes Unanimously to Admit Any and All Testimony.

## SCHIFF'S TESTIMONY HELPS

Prosecution Will Try to Get Him to Qualify It.

Defendant's Counsel Content to Sit Back and Wait.

Albany, N. Y., Sept. 25.—The court of impeachment for the trial of Governor Sulzer today unanimously voted in favor of admitting all testimony in reference to alleged campaign contributions received by the governor whether specified in the articles of impeachment or not. The point arose on the testimony of Mossir Tekulsky, a New York liquor dealer, and former president of the New York City Liquor Dealers' association. He has known William Sulzer for 23 years, he said, and considered himself an intimate acquaintance. When he started to tell about the organization's contributions to Sulzer, Attorney Marshall objected, supporting his objection by a lengthy argument. He maintained there was nothing in the articles of impeachment regarding this witness. The purpose of the articles of impeachment, he contended, was to give notice to a respondent of the nature of the accusations against him and to afford him time to prepare to meet them. "We are now in the position," Mr. Marshall continued, "more than 30 days after the filing of the articles, of being confronted with a charge which we have not been notified to defend. This is merely an attempt to recast the articles of impeachment at the very moment of trial."

Mr. Stansfield, who declared that the managers "have secured and are prepared to prove that Sulzer received a large number of contributions vastly in excess of those which appear on the face of the charges. There is no question as to a matter of law but this evidence is admissible."

## Charges Deliberate Falshood.

"The managers charge that Wm. Sulzer filed a false statement of campaign expenditures intentionally. He studiously concealed contributions from common sources where he thought their public acknowledgment might injure his political future. The amounts were deliberately omitted by design and intent. Therefore, it is our duty as a proper that we should show all instances wherein he acted in a manner that renders him unfit to occupy the high place he now fills."

"One of the chief defenses is that the omissions were the result of a mistake. We charge that he deliberately set out to falsify his statement and that he accomplished his purposes. These omissions were not accidental or more in number—constituted a common scheme, a design on the part of the respondent, to display certain contributions and conceal others. I concede that the failure to report one might have been accidental, but a coincidence, but to fail to account for a hundred is a crime."

## Motion Overruled.

Presiding Judge Cullen then rendered a long opinion on the question at the conclusion of which he said that he would overrule the motion and submit it to a vote of the court. The presiding judge said that if the present case were a criminal trial he would be disposed to believe that evidence of charges not specified in the indictment. "This case, however," he said, "should be construed with greater latitude."

He added that article six of the impeachment mentioned the receipt of \$30,000 by the governor without naming the donors and that counsel for the respondent had an opportunity to ask for a bill of particulars. "This," said Judge Cullen, "they did not do."

Court adjourned for the noon recess with Tekulsky still on the stand. At the outset of today's session the question whether the use which Governor Sulzer made of the money given him by Jacob H. Schiff, constituted larceny, precipitated a heated argument. No final decision was rendered by the court. Upon its determination depended the question whether the impeached governor is guilty of the most serious charge against him, in the event that it should be shown in every instance that no restriction was placed by the donors on the gifts of money received by Mr. Sulzer during his campaign.

## May Not Call Sulzer.

Albany, Sept. 25.—Gov. Sulzer and his attorneys emerged in good spirits today after a conference which lasted several hours. Judge Herrick was asked if the testimony given to the impeachment court yesterday had caused any change in the plans of the defense. He smiled broadly as he replied: "I don't think it will be necessary for Governor Sulzer to go on the stand." Nevertheless the governor is still at work assembling the story he expects to tell. He has assured his friends that it will prove a knockout blow to the case of the prosecution. In view of the testimony of Jacob H. Schiff, a New York banker, that he contributed \$2,500 to Governor Sulzer's campaign fund with no restrictions on how it should be spent, lawyers for the prosecution decided to recall him to the witness stand at the impeachment proceedings today. They hoped to draw from the banker a qualification of his unreserved statement made yesterday. Meantime counsel for the impeached governor were satisfied to sit back and wait for the next move of their opponents. They regarded the testimony of Mr. Schiff as a big victory for them. Other witnesses called to testify regarding the governor's financial deals, were on hand when court opened.

Isidor Kresel of counsel for the prosecution, said that he intended to build up the story of the governor's various financial deals by the testimony of bankers, bank employees and employees of Wall street brokerage firms. Thomas M. Godwin, paying teller of

the Farmers' Loan and Trust company of New York, was on the stand when court adjourned last night. He refused yesterday to answer certain questions about the source of money that was reprimanded by Presiding Judge Cullen.

Both the senate and assembly will reconvene tonight after a recess since last Friday night. The senate plans to do little more than adjourn again, but the assembly leaders will resume their attempts to round up enough votes to guarantee the passage of additional impeachment charges. Seventy-six votes are required.

The new charges drawn up last week by the board of managers are that the governor made a pre-election promise to appoint Julius Broder, state commissioner of health, that he failed to account for his direct primary campaign fund and that he usurped the powers of the executive office after being impeached.

**Motion to Strike Out.**  
At the opening of today's session Edgar T. Brackett moved to strike from the record the answer of Jacob H. Schiff yesterday in which the witness said he did not intend his \$2,500

(Continued on Page Two.)

## ON THE LAST LAP

Conferees Expect to Lay the Completed Tariff Bill

Before Both Houses of Congress Some Time Friday.

Washington, Sept. 25.—Great interest centered today about the decision of the tariff conferees to exempt from the income tax that portion of the premiums on mutual life insurance policies returned to the policyholders as dividends. Such action on the part of the conferees was unexpected, as the amendment originally made by the senate to that end had been dropped out before the bill went into conference. Under the decision reported last night, all life insurance companies, whether mutual policies and mutual marine insurance companies, are treated similarly. No part of their income is exempt except that part of the premium on any policy that is returned to the policyholder as a dividend or rebate.

The senate finance committee determined on such action many weeks ago, but the bill before the senate was not satisfactory and was later withdrawn at the voluntary motion of members of the finance committee. The conferees decided last night that the provision was still within their jurisdiction and that they had authority to make the change. Holders of mutual insurance policies and insurance officers throughout the country have agreed that such action is long overdue and that they had authority to protect the rights of persons who hold dividend paying policies.

The conferees today took up final work on the tariff bill. When they left the capital at midnight, the hope was with the hope that the conference report could be sent to the government printing office late today and be laid before the two houses of congress tomorrow. Few questions now remain. President Wilson's suggestions and advice have aided the conferees in disposing of all questions relating to foreign tariff or trade policies.

## GAME CALLED OFF.

Kaws and Des Moines Won't Play on Account Mud and Weather.

The closing game of the series with Des Moines and the last game of the season to be played on the home grounds has been cancelled. This was agreed upon this morning by Managers Dale Gear of Topeka and "Red" Andrews of the Des Moines club. The Des Moines club left yesterday morning for Des Moines, where they will close the season. Wet grounds and cold weather caused this action.

The Kaws will go to St. Joseph tomorrow where they will play three games and probably a postponed game which was to have been played in Topeka. Gear is not anxious to play this contest as it will cause them to put on one of the contests in St. Joseph Monday.

Following the series at St. Joseph, the Kaws will go to Wichita for three days and then go to Denver to finish the season. The club will then disband. Some of the members will return to Topeka to gather up their belongings before starting home and others will go direct to their homes from Denver. Bill Rapps left the club this morning and started for his home in Schell City, Mo., where he will spend the winter. Manager Gear will use McCollough in the outfield.

## ONLY A FEW REMAIN.

Fifty Americans Leave Durango for the United States.

Washington, Sept. 25.—Fifty Americans, mostly women and children, winding their way through mountain passes on an overland trip to the Texas border, left Durango yesterday on their long, perilous journey. Vice Consul Hamm, who is accompanying the party, whose departure leaves only about twenty Americans in Durango, according to official advices, and not more than forty in the outlying districts.

Consul Hamm reports it is not known how many Americans remain in the Torreon and Laguna districts, but it is supposed only a few, as many caravans are en route for Monterey and Tampico.

## STOP WHEAT DRILLING.

Rain Heavy in Geary County—Five Inches for Month.

Junction City, Kan., Sept. 25.—Wheat drilling has been interrupted temporarily by a two and a quarter inch rain, making a total of five inches for the month.

## PEPPERELL IT IS

Concordia Man Lands That Internal Revenue Job.

President Sent His Name to the Senate Today.

Washington, Sept. 25.—The president today nominated William H. L. Pepperell to be collector of internal revenue for the district of Kansas.

Mr. Pepperell for more than a score of years has been a well known figure in Kansas politics, having been secretary of the Democratic state central committee for a little more than 20



W. H. L. Pepperell, Who Was Named Today for Collector Internal Revenue.

years, and having therefore participated in every state fight during the period. Recently, when Henderson Martin resigned as chairman, a faithful following named Pepperell as chairman of the state committee, and he has held that position since last spring.

For nine months at least Pepperell has been an active candidate for the appointment he received today. He has been in Washington several times in the interest of his cause, and succeeded in convincing Senator Thompson that he was entitled to the place. He is a resident of Concordia, Cloud county, Kansas, where he has lived most of his life.

Pepperell has been one of the wheel horses of the Kansas Democracy for nearly a generation. Unflinching in the face of defeat after defeat he has returned to his desk at headquarters every two years to renew the fight again. He has not lost a single election. Democrats believe he richly deserves the appointment he has received. He is generally well liked by those who know him, being thoroughly democratic, friendly and approachable. His friends are rejoicing in the good fortune that has fallen to him.

## NEW LAW IS PLANNED

To Prevent Wrecks Similar to the One at Wallingford.

Washington, Sept. 25.—On the heels of the interstate commerce commission's scathing denunciation of the New Haven road for the Wallingford wreck in which he held that "Man failure" beginning with high officials and ending with trainmen, was responsible for the loss of 21 lives, sentiment in congress began to crystallize in a movement to take up legislation for rain safety in December. Backed by the interstate commerce commission an effort will be made to empower the commission to deal with such questions as street cars and safety equipment.

Commissioner McCord, who has introduced a bill to place such power with the commission. Representative Stevens of New Hampshire, chairman of a subcommittee of the interstate commerce committee, today began hearings preliminary to drafting a similar bill. The McCord bill, according to Mr. Stevens, will be ready for introduction next week.

McKean, Merkle, Robinson, McCormick, Shafer, Snodgrass, Thorpe, Tesreau, Wilson, Schupp.

Philadelphia—Schang, Lapp, Thomas, Bender, Plank, Combs, Houck, Brown, Shockey, Pennock, Bush, Wyckoff, McInnis, Collins, Barry, Baker, Orr, Davis, Lavan, Oldring, Strunk, E. Murphy, D. Murphy, Walsh, Daley.

## ACCEPT MONUMENT.

Kansas and Nebraska Governors Mark Oregon Trail.

Lanham, Neb., Sept. 25.—A monument on the line dividing Kansas and Nebraska to mark the Oregon trail, was unveiled near here this afternoon. Gov. George H. Hodges accepted the monument on behalf of the people of Kansas, and Gov. John H. McPherson for Nebraska. The monument was erected with subscriptions received from the state of Nebraska, the people of Washington county, Kansas, and the Beatrice, Neb., chapter of the D. A. R.

## Wilson Promises a Speech.

Washington, Sept. 25.—President Wilson today promised to make the opening address of the National Rivers and Harbors congress in Washington on December 3. Senators Ransdell, Fletcher, Newlands and Representatives Sparkman, Small, Metz and Raker and United States Treasurer Burke formally presented the invitation to the president.

**Chokes to Death on Steak.**  
St. Joe, Sept. 25.—Mrs. Mary E. Brown, 65 years old, choked on a piece of beefsteak while at supper last night and died before the arrival of the police surgeon. Coroner Lynch will conduct an inquest tomorrow.

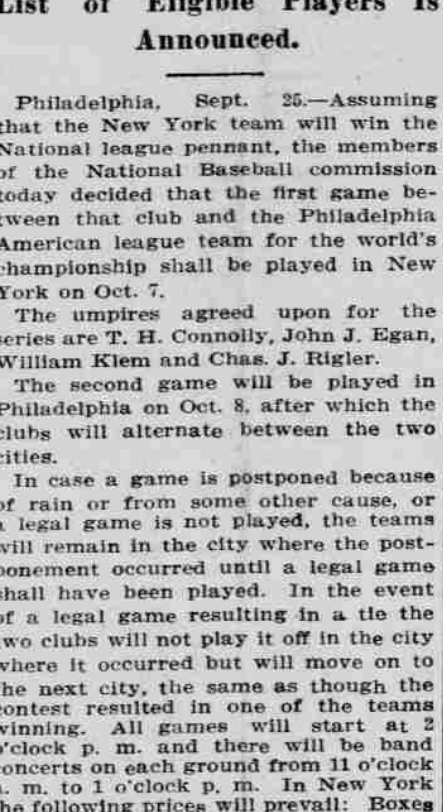
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## HAVOC IN TORNADO

Six People Injured Near Eureka—Visits Arkansas City.

Lightning Strikes Junction City Church and Wrecks Spire.

Eureka, Kan., Sept. 25.—A tornado that swirled across this city early last evening completely demolished a handsome stone residence, tore the roof off a hotel, wrecked one wall, a brick bank building and unroofed a frame dwelling.

The twister apparently diminished in its fury as it progressed, striking in three places with damage as it crossed the town in a northeasterly direction. The storm house in the southwest part of town, the first struck, received the worst blow. The bank and hotel in the center of the city next got the brunt of the tornado. They were damaged less than the first building, but further in its course the storm struck the frame house of C. B. Highbargan, with still less havoc. Persons who saw it say the twister rose from the earth after each blow, then dropped again. The first National bank and the Greenwood hotel are the damaged structures.

Trees were uprooted, fences shattered and small outbuildings torn away in the vicinity of the places where the wind struck heaviest.

Ten years ago a tornado that wrought more extensive damage crossed this city in the same course. Six persons were injured, but none seriously. The Atchison, Topeka & Santa Fe railroad depot was wrecked.

## Storm Visited Arkansas City.

Arkansas City, Kan., Sept. 25.—A severe storm in the shape of a tornado visited this section late Wednesday, coming from the northwest, and it was followed by a heavy rain. A tornado cloud in the vicinity of Geuda Springs, nine miles west of here, dipped almost to the ground and then descended again. No serious damage has been reported.

## Lightning Wrecks Church.

Junction City, Kan., Sept. 25.—During a heavy rain yesterday afternoon, lightning struck the spire of the Presbyterian church, completely stripping the framework and driving pieces of board through the roof of the church. The main portion of the building was not damaged. An inch of water fell during the afternoon.

## Heavy Rains at Wakarusa.

Wakarusa, Sept. 25.—Rain fell here last night to the amount of 1.37 inches, making a total of 3.65 inches for September to date. A considerable acreage of wheat has been sown already. The soil is now so wet that it is difficult for farmers and farmers are greatly encouraged.

## HIS THROAT CUT.

Dead Body of Young Man Found in His Parents' Home.

Chicago, Sept. 25.—Coroner Hoffman and the police are investigating the death of Edward Erickson, 24 years old, who was found in his parents' home today with his throat cut and a deep gash in his left foot. On the bed near the body was a small knife with the blade open. His father and sister were the only persons in the home at the time the body was found. When Dr. A. N. Boe was called he said Erickson had been dead several hours. He expressed the opinion that the wounds could not have been inflicted with the pen knife. According to the father there was a party at the house last evening and his son appeared to be in the best of spirits when he retired.

## REPAYS A KINDNESS.

Thaw Sends Check for \$50 to Man Who Benefitted Him.

Montreal, Sept. 25.—A check for \$50 has been sent by Harry K. Thaw to F. Garceau, an immigration officer at Coaticook, for a kindness shown to the Mattoon fugitive the day he was deported. Garceau was the man who ran to get an overcoat for Thaw on the cold morning when he was rushed across the boundary line into the United States. Thaw sat shivering in an automobile and Garceau, noticing this, hurried into the station and got his own overcoat for him. Thaw sent a letter of thanks to Garceau with the check.

## LOOKS LIKE SUICIDE.

Second Inquest Very Much Like First in Mrs. Littleton's Case.

Edna, Kan., Sept. 25.—The idea of hanging herself was suggested to Mrs. C. B. Littleton, wife of the former Methodist minister here, by an article in a newspaper, Miss Edna Ray, a neighbor of the Littletons, testified when the coroner's inquest into the cause of the death of Mrs. Littleton was resumed here today. It is the second inquest, the first one having decided that the minister's wife committed suicide. "I came over to Mrs. Littleton's nearly every day," said Miss Ray, on the witness stand, "the Thursday before she died. I found her crying when I came over. I asked her what was the matter and she said: 'I am so lonesome.' She asked me if I had read about the young woman hanging herself on a tree. I found her in the closet door and her parents finding her the next morning. I said 'No.' She handed me a copy of a newspaper and I read the article. It was about a young woman hanging herself."

"I said to Mrs. Littleton: 'It's wrong to take your own life, you won't go to heaven.'"

"I don't know," Mrs. Littleton said. "I was full of plenty of hell on earth, too."

Miss Ray said Mrs. Littleton repeated that remark again that evening. It was three nights later that Mrs. Littleton was found hanging in her bedroom.

It was expected the coroner's inquest would reach a verdict before night.

Edna, Kan., Sept. 25.—Evidence in-

## IS BUYING WHEAT

Kansas Seed Wheat Club Buys 10,000 Bushels.

Loading Now and Be Shipped Today to Western Kansas.

## BELL CO. GIVES SERVICE

Western Kansas Men Here to Confer With Club.

Farmers Paid Back the Loans of 1911.

Seed wheat to the amount of ten thousand bushels was purchased for the Kansas Farmer Seed Wheat club today through C. D. Yetter of the secretary of state's office, and four carloads will actually be shipped today to western Kansas for the relief of farmers in need of seed. According to Mr. Yetter, Charles M. Sawyer, state bank commissioner, actually had on hand in cash today approximately \$10,000. This will leave a balance after payment is made for the wheat bought today. One car was being lost with wheat this morning at Lincoln, Kan., one at Natoma and two cars at Bennington. The Bell Telephone company has given the Kansas Farmer Seed Wheat club free long distance service, and this has been of material assistance in the purchase of the wheat.

## RELIEF IS AT HAND

Kansas Farmer Seed Wheat Club Has Solved Problem.

Farmers in Western Kansas Will Be Given Aid.

The Kansas Farmer Seed Wheat club has solved the problem of supplying wheat to the farmers of a dozen counties in western Kansas where the wheat crop was a failure this year. Charles M. Sawyer, state bank commissioner, who is one of the trustees of the club, who is handling the money, is receiving many subscriptions to the fund that will be used to buy wheat. Already enough money has been received or is in sight to relieve the situation materially. The plan has taken well all over the state and small subscriptions are expected to pour in this week.

Representatives from ten counties were in attendance at the meeting held late Wednesday at the Commercial club headquarters. They stated that they will require a minimum of 100,000 bushels of wheat but could use more.

Bank Commissioner Sawyer presided over the meeting and C. D. Yetter acted as secretary.

Aside from those who came from western Kansas there were present at the meeting members of the Kansas Farmer Seed Wheat club and several Topeka interested in the proposition. Counties represented and the men who represented them were: Trego, C. H. Benson and C. L. Hardman, of Wakarusa; Graham, L. N. Drilling of Penokee and Ben Smith of Hill City; Lane, Herman Gillette of Dighton; Wichita, W. C. Dickey of Leona; Ellis, E. C. Waldo of Ellis; Logan, J. W. Wolf of Oakley; Thomas, George Howard of Oakley; Gove, J. W. Butler of Grainfield; Haskell, Sheridan, Ness and Ellsworth counties were also represented.

The number of bushels of wheat that will be required in each county:

Trego, 8,000; Wichita, 2,000; Lane, 5,000; Graham, 10,000; Thomas, 3,000; Gove, 25,000; Logan, 21,000; Haskell, 2,000; Sheridan (south half), 8,000; Ness, 10,000.

J. W. Butler of Grainfield in Gove county had just returned from Kansas City, where he was successful in procuring a promise of a loan from the Armour Packing company and a promise of \$1,000 which will be mailed directly to Bank Commissioner Sawyer.

At Abilene Mr. Butler was assured the loan of \$500 and three carloads of wheat from the business men.

## IT IS COLD TODAY.

Down to Forty-Seven at 7 O'clock This Morning.

It is chilly today. The temperature at 2 o'clock this afternoon—56 degrees—was 22 degrees below that of the same hour Wednesday. This is the kind of weather that ordinarily comes the latter part of October. The temperature has averaged 12 degrees below normal for this date; Wednesday it was much above normal. A penetrating north wind is blowing at a rate of 12 miles an hour. Frost is expected tonight. The hourly readings:

7 o'clock.....47 11 o'clock.....51  
8 o'clock.....47 12 o'clock.....53  
9 o'clock.....48 2 o'clock.....56

## IMPORTING CORN.

Large Cargo From Argentine Arrives at New York.

New York, Sept. 25.—What is said to be the largest shipment of corn received from South America for more than two years arrived here yesterday when a steamship put in with a cargo of 7,300 tons of shelled corn from Buenos Aires. This shipment marked the beginning of a large importation arranged by several produce dealers in this country, it is said. "It is stated that under the prevailing price of corn in this country, importers can buy corn in South America and pay the difference in the cost of transportation and still have a margin left."

## THE DAY IN CONGRESS

Little But Committee Work on Part of Either House.

Washington, Sept. 25.—Senate met at noon. Banking committee continued hearings on administration currency bill. Disputed points in the Underwood-Simmons bill.

House met at noon. Hearings opened on prospective legislation to insure safety of travelers on railroads.

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